

REMARKS

In response to the Office Action mailed February 27, 2003, the Applicants respectfully request reconsideration. To further the prosecution of this application, amendments have been made in the claims. The application as presented is believed to be in allowable condition.

Claims 1-47 were previously pending in this application. Claims 1-11, 39 and 42 have been amended. No new claims have been added, and no claims have been deleted. As a result, claims 1-47 remain pending for examination, with claims 1, 8, 12, 30, 39 and 42 being independent claims. No new matter has been added.

Rejections under 35 U.S.C. §102(e)

In paragraph 1 of the Office Action, claims 1-3, 8-9, 12-22, 26-31, 33-35, 37-45 and 47 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,237,092, to Hayes (hereinafter "Hayes"). The Applicants respectfully traverse this rejection.

1. Claims 1-3

Claim 1, as amended, recites a context management system comprising a server appliance, which comprises: a computer system having a power supply input and a network input/output (I/O) port for coupling the server appliance to the network; at least one memory in which is stored a set of instructions defining a context management server which delivers context management information to client applications, and a set of instructions defining a software interface for administering the context management server over the network using a general-purpose client interface. As such, claim 1 has been amended to clarify the positive recitation of a server appliance, which has been accomplished by moving the limitation from the preamble to the body of the claim.

Hayes does not disclose or suggest a context management system comprising a server appliance. Hayes discloses a system, implemented on a general-purpose server, which enables an administrator to configure preferences for a first user or group for one or more applications, switch to the preferences for a second user or group for the application(s) and configure them as well, without terminating and re-launching the application to obtain the second set of preferences (col. 4, lines 30-36). The system employs a "context change event listener" which detects when the administrator selects a new user/group for configuration, and retrieves

preference data for that new user/group (col. 4, lines 36-46). Hayes states that the system is preferably implemented on a server which stores application and configuration preferences, and which is connected with a plurality of user stations via a network (col. 4, lines 51-56). Hayes does not disclose or suggest an implementation which employs a server appliance.

The term "server appliance" is well-recognized by those skilled in the art. One indication of the term's broad recognition is its placement in many technical dictionaries and encyclopedias. For instance, the online TechEncyclopedia (www.techweb.com/encyclopedia) defines a server appliance as follows: "A self-contained computer system specialized for network use. Its applications are pre-installed...Server appliances are designed to be plugged into the network and configured, loaded with files and begin working immediately with limited or no technical support, at least for a power user or experienced network administrator." A server appliance may, for example, be designed to begin processing as soon as it is plugged into a power source and connected with the network, and to be largely self-sufficient thereafter throughout its operation. Other species of server appliances include systems which require more expertise to set up and maintain. Nevertheless, the functional and structural differences between a server appliance and a general-purpose server are significant and well-known. The Applicant respectfully asserts that the term should be given the meaning assigned to it by the skilled artisan, and should be given commensurate weight throughout prosecution.

Furthermore, the unique function of a server appliance is discussed at length in the Applicant's specification. For example, at p.3, lines 11-17, the specification states:

[U]nlike traditional computing servers that provide general-purpose platforms for a wide range of computing tasks, a server appliance is singular in purpose. A server appliance contains specialized software, and possibly specialized hardware, as well, to enable it to achieve its specialized purpose. Server appliances can therefore be optimized for the specific tasks that they may be designed to perform, thereby reducing the server cost and complexity as compared to the cost and complexity of general purpose servers.

The economic benefits associated with implementing aspects of context management functionality for an exemplary application (e.g., a Master Patient Index, or MPI) with a server appliance instead of a general-purpose server are discussed at p. 8, lines 29-32:

There are currently many MPI software products, each implementing various algorithms for correlating person identifiers. However, these products are all

deployed on general-purpose servers. In embodiments of this invention, the MPI is deployed within a server appliance, thereby providing an optimized, cost-effective, easier-to-maintain, information utility for the healthcare enterprise.

Hayes simply does not disclose or suggest a server-appliance, as recited in claim 1. As a result, the rejection of claim 1 under 35 U.S.C. §102(e) as being anticipated by Hayes should be withdrawn.

Claims 2 and 3 depend from claim 1 and are allowable for at least the same reasons.

2. Claims 8-9

Claim 8, as amended, recites a context management system comprising a web server, accessible through a network via the HTTP protocol, comprising at least one computer memory in which is stored a set of instructions defining a context manager accessible to managed applications through the network, and a set of instructions defining a context vault accessible to the context manager.

Hayes does not disclose or suggest a context management system comprising a web server, accessible through a network via the HTTP protocol. As discussed with reference to claim 1, Hayes discloses a system which is implemented on a general-purpose server, connected to a plurality of user stations through a network.

Like the server appliance discussed with reference to claim 1, "web server" is a term of art which is well-recognized by those skilled in the art. Again, the term's broad recognition is indicated by its inclusion in various technical dictionaries. For example, TechDictionary (www.techdictionary.com) defines a web server as "[a]n application that serves Web pages to Web browsers using the HTTP protocol [or a] computer where web pages and web server software are stored." As with the server appliance which is discussed above with reference to claim 1, the Applicant respectfully asserts that the term should be given the meaning assigned to it by the skilled artisan, and commensurate weight throughout prosecution.

Hayes simply does not disclose or suggest an implementation which comprises a web server that sends and receives communication via the HTTP protocol, as recited in claim 8. Therefore, Hayes does not disclose or suggest the context management system recited in claim 8.

As a result, the rejection of claim 8 under 35 U.S.C. §102(e) as being anticipated by Hayes should be withdrawn.

Claim 9 depends from claim 8, and is allowable for at least the same reasons.

3. Claims 12-22 and 26-29

Claim 12 recites a method for context management over a network, comprising receiving, on a server appliance, via the network, a first network message, in accordance with a network communication protocol, containing information pertaining to a context management action; performing, on the server appliance, an act pertaining to the context management action; and sending, from the server appliance, via the network, a second network message, in accordance with the network communication protocol, containing information pertaining to the context management action.

As discussed in the foregoing, Hayes does not disclose or suggest a server appliance. Thus, Hayes does not disclose or suggest receiving a first network message on a server appliance, as recited in claim 12. Thus, the rejection of claim 12 under 35 U.S.C. §102(e) as being anticipated by Hayes should be withdrawn.

Claims 13-22 and 26-29 depend from claim 12, and are allowable for at least the same reasons.

4. Claims 30-31, 33-35 and 37-38

Claim 30 recites a context management system, comprising a server appliance, comprising a memory holding context management software; a network connection; and a processor executing instructions corresponding to said context management software; and a network, coupled to the server appliance via the network connection, said network carrying information pertaining to context management actions to and from the server appliance.

As discussed above, Hayes does not disclose or suggest a context management system comprising a server appliance, as recited in claim 30. Therefore, the rejection of claim 30 under 35 U.S.C. §102(e) as being anticipated by Hayes should be withdrawn.

Claims 31, 33-35 and 37-38 depend from claim 30, and are allowable for at least the same reasons.

5. Claims 39-41

Claim 39, as amended, recites a method for context management comprising exchanging data, over a network, between a context management server coupled to the network and a plurality of applications installed on a corresponding plurality of computers, wherein the context data comprises a data item usable by the plurality of applications, the plurality of applications comprising at least a first application and a second application, the data item having a set of values comprising at least a first value corresponding to the first application and a second value corresponding to the second application, the set of values identifying a subject in a context, and wherein the step of exchanging context data comprises, in response to a user switching from the first application to the second application, the value of the data item corresponding to the first application being exchanged for the value of the data item corresponding to the second application to retain the context.

Hayes does not disclose or suggest a method for context management comprising, *inter alia*, exchanging context data, comprising a data item usable by first and second applications, the data item having a set of values comprising a first value corresponding to the first application and a second value corresponding to the second application, wherein the value of the data item corresponding to the first application is exchanged for the value of the data item corresponding to the second application to retain the context. Hayes does not disclose or suggest exchanging data to retain a context. Instead, Hayes allows a user to configure one or more applications within a first context (defined by a user or group), then change to a second context, without terminating and re-launching the configuration application (col. 4, lines 30-35). Hayes does not disclose or suggest retaining a context upon switching from one application to another, but rather changing context within a single application. Therefore, Hayes does not disclose or suggest the method for context management recited in claim 39. As a result, the rejection of claim 8 under 35 U.S.C. §102(e) as being anticipated by Hayes should be withdrawn.

Claims 40 and 41 depends from claim 39, and are allowable for at least the same reasons.

6. Claims 42-45 and 47

Claim 42, as amended, recites a context management system comprising a server having context management software stored thereon, the server communicating over a network with a plurality of applications, the applications residing on a corresponding plurality of computers, coupled to said network, and interacting with said context management software by exchanging data over said network. The data comprises a data item usable by the plurality of applications, the plurality of applications comprising at least a first application and a second application, the data item having a set of values comprising at least a first value corresponding to the first application and a second value corresponding to the second application, the set of values identifying a subject in a context, and wherein the server is configured, in response to a user switching from the first application to the second application, to exchange the value of the data item corresponding to the first application for the value of the data item corresponding to the second application to retain the context.

As discussed above with reference to claim 39, Hayes does not disclose or suggest exchanging context data, comprising a data item usable by first and second applications, the data item having a set of values comprising a first value corresponding to the first application and a second value corresponding to the second application, wherein the value of the data item corresponding to the first application is exchanged for the value of the data item corresponding to the second application to retain the context. As a result, Hayes does not disclose or suggest the context management system recited in claim 42, and the rejection of claim 42 under 35 U.S.C. §102(e) as being anticipated by Hayes should be withdrawn.

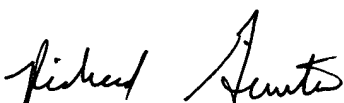
Claims 43-45 and 47 depend from claim 42, and are allowable for at least the same reasons.

CONCLUSION

In view of the foregoing amendments and remarks, this application should now be in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is requested to call the Applicants' attorney at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, the Applicants hereby request any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Respectfully submitted,
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